

Calendar No. 348

104TH CONGRESS
2D SESSION

S. 1467

[Report No. 104-242]

To authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 1995

Mr. BURNS (for himself and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MARCH 15, 1996

Reported by Mr. MURKOWSKI, without amendment

A BILL

To authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Fort Peck Rural Coun-
3 ty Water Supply System Act of 1995”.

4 **SEC. 2. DEFINITIONS.**

5 For the purposes of this Act:

6 (1) CONSTRUCTION.—The term “construction”
7 means such activities associated with the actual de-
8 velopment or construction of facilities as are initi-
9 ated on execution of contracts for construction.

10 (2) DISTRICT.—The term “District” means the
11 Fort Peck Rural County Water District, Inc., a non-
12 profit corporation in Montana.

13 (3) FEASIBILITY STUDY.—The term “feasibility
14 study” means the study entitled “Final Engineering
15 Report and Alternative Evaluation for the Fort Peck
16 Rural County Water District”, dated September
17 1994.

18 (4) PLANNING.—The term “planning” means
19 activities such as data collection, evaluation, design,
20 and other associated preconstruction activities re-
21 quired prior to the execution of contracts for con-
22 struction.

23 (5) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior.

25 (6) WATER SUPPLY SYSTEM.—The term “water
26 supply system” means the Fort Peck Rural County

1 Water Supply System, to be established and oper-
2 ated substantially in accordance with the feasibility
3 study.

4 **SEC. 3. FEDERAL ASSISTANCE FOR WATER SUPPLY SYS-**
5 **TEM.**

6 (a) IN GENERAL.—Upon request of the District, the
7 Secretary shall enter into a cooperative agreement with
8 the District for the planning, design, and construction by
9 the District of the water supply system.

10 (b) SERVICE AREA.—The water supply system shall
11 provide for safe and adequate rural water supplies under
12 the jurisdiction of the District in Valley County, north-
13 eastern Montana (as described in the feasibility study).

14 (c) AMOUNT OF FEDERAL CONTRIBUTION.—

15 (1) IN GENERAL.—Subject to paragraph (3),
16 under the cooperative agreement, the Secretary shall
17 pay the Federal share of—

18 (A) costs associated with the planning, de-
19 sign, and construction of the water supply sys-
20 tem (as identified in the feasibility study); and

21 (B) such sums as are necessary to defray
22 increases in the budget.

23 (2) FEDERAL SHARE.—The Federal share re-
24 ferred to in paragraph (1) shall be 80 percent and
25 shall not be reimbursable.

1 (3) TOTAL.—The amount of Federal funds
2 made available under the cooperative agreement
3 shall not exceed the amount of funds authorized to
4 be appropriated under section 4.

5 (4) LIMITATIONS.—Not more than 5 percent of
6 the amount of Federal funds made available to the
7 Secretary under section 4 may be used by the Sec-
8 retary for activities associated with—

9 (A) compliance with the National Environ-
10 mental Policy Act of 1969 (42 U.S.C. 4321 et
11 seq.); and

12 (B) oversight of the planning, design, and
13 construction by the District of the water supply
14 system.

15 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated to carry out
17 this Act \$5,800,000, to remain available until expended.
18 The funds authorized to be appropriated may be increased
19 or decreased by such amounts as are justified by reason
20 of ordinary fluctuations in development costs incurred
21 after October 1, 1994, as indicated by engineering cost
22 indices applicable to the type of construction project au-
23 thorized under this Act.

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